



Division of
Enforcement

COMMODITY FUTURES TRADING COMMISSION

Ted Weiss Federal Office Building
290 Broadway, Suite 600
New York, NY 10007
Telephone: (646) 746-9700
www.cftc.gov

November 8, 2022

VIA ECF

The Honorable J. Paul Oetken
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2101
New York, NY 10007

Re: CFTC v. Archegos Capital Management, LP, et al., No. 22 Civ 3401 (JPO) (S.D.N.Y.)

Dear Judge Oetken:

Pursuant to the Court's Individual Rule 3.C, Plaintiff Commodity Futures Trading Commission ("CFTC") and Defendants Archegos Capital Management, LP ("Archegos") and Patrick Halligan (collectively, "Defendants") respectfully write to request an extended briefing schedule in connection with Defendants' November 1, 2022 motions to dismiss the Amended Complaint (DE 42-44, 46-48) (the "Motions to Dismiss"). Pursuant to Local Rule 6.1(b), the CFTC's opposition to Defendants' Motions to Dismiss is due November 15, 2022 and Defendants' replies are due November 22. Defendants' memoranda of law total 65 pages, and are accompanied by declarations annexing more than 50 exhibits comprising over 1600 pages. The CFTC requires additional time in order to consider and properly address the numerous arguments in Defendants' Motions to Dismiss, and Defendants likewise anticipate needing additional time to file their briefs in reply to the CFTC's opposition. The parties have conferred and agreed upon the following proposed briefing schedule:

January 6, 2023: due date for CFTC's opposition to Defendants' Motions to Dismiss; and

February 6, 2023: due date for Defendants' reply briefs.

This is the parties' first request for an enlargement of time to file opposition and reply briefs regarding the Motions to Dismiss. For the foregoing reasons, the parties respectfully request that the Court approve the above proposed briefing schedule.

Respectfully submitted,

/s/ Jacob W. Mermelstein

Jacob W. Mermelstein
Trial Attorney
Commodity Futures Trading Commission
Counsel for Plaintiff CFTC

/s/ Mary E. Mulligan

Mary E. Mulligan
Friedman Kaplan Seiler & Adelman LLP
7 Times Square
New York, New York 10036
Counsel to Defendant Patrick Halligan

The Hon. J. Paul Oetken

November 8, 2022

Page 2 of 2

/s/ Carmen J. Lawrence

Carmen J. Lawrence

King & Spalding LLP

1185 Avenue of the Americas

New York, New York 10036

*Counsel to Defendant Archegos Capital
Management, LP*